REMARKS

Claims 1, 2, 6, and 7 were rejected under 35 U.S.C. §102(b) as being anticipated by Gold (U.S. Patent Number 5,475,540). Claims 3-5 and 8-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gold in view of Maeda (U.S. Patent Number 5,678,022).

Gold discloses a layout for data on a magnetic storage device. Under this layout, the data is stored in servo sectors that are separated by servo blocks 38. The layout includes one or more data sections per sector such as data sections 42-0 and 42-1A of FIGS. 2A-2F. Each data section includes a pad, with the pad before the servo block being larger than the pad in other data sections. Gold does not show that the size of the pads is based on the speed of a head moving over the storage medium or that the size of a second pad is based on the length of a first pad.

Maeda describes a method for setting the size of data blocks so that the data portion of each data block resides within a single track so that a head does not have to be moved between tracks to read or write data to a single data section. Each data section includes a gap portion that is set to be equal to the number of bytes in the data section or an integer multiple of the number of bytes in the data section. Maeda does not show or suggest that the size of the gap should be based on the speed of a head moving over a storage medium or that the size of a gap should be based on the size of a preceding gap.

Claims 1-7

Independent claim 1 is directed to a data storage device for storing and accessing data in tracks on a medium. Each track has a data layout that includes a first data section, a second data section and a third data section. A first spin pad is located between the first data section and the second data section and has a first length. A second spin pad is located

between the second data section and the third data section and has a second length that is different from the first length but that is based on the first length.

Neither Gold alone nor the combination of Gold and Maeda show or suggest the invention of claim 1. In particular, neither of these references shows or suggests a second spin pad located between a second data section and a third data section that has a different length than a first spin pad but that is based on the length of the first spin pad. In Gold, the length of longer pad 48 is not based on the length of the pad in data section 42-0. In fact, Gold makes no mention of how the lengths of these pads are selected. Similarly, in Maeda, the length of the gap values are selected to be integer multiples of the length of the data in the data section. The length of the gap is not based on the length of another gap, but is only based on the length of the data.

Since neither Gold nor Maeda show or suggest having a second spin pad with a length that is different from the length of a first spin pad but that has a length that is based on the length of the first spin pad, their combination does not show or suggest the invention of claim 1 or claims 2-7 which depend therefrom.

Claims 8-15

Independent claim 8 is directed to a method of determining the length for a spin pad section in a track layout of a storage medium. The method includes determining a nominal time period between a detection of a reference mark and a beginning of the spin pad. The nominal time period and a speed of a head moving over the storage medium are used to set the length for the spin pad.

The combination of Gold and Maeda do not show or suggest the invention of claim 8. In particular, neither

reference shows using a nominal time period and a speed of a head moving over a storage medium to set the length of a spin pad.

Maeda, in particular, does not show this limitation because it sets its gap length based on the length of the data in the data block. The length of the data block remains the same regardless of the speed of a head over the data block. Thus, if the speed of the head increases, size of the data block remains unchanged and as a result the size of the gap remains unchanged. As such, it is clear that the length of the gap in Maeda is not based on a speed of a head.

Similarly, Gold makes no mention of using a speed of a head to determine the size of the pads such as pad 48.

Since neither Maeda nor Gold show or suggest using a speed of a head to determine the length of a spin pad, their combination does not show or suggest the invention of claim 8 or claims 9-15, which depend therefrom.

Claims 16-22

Independent claim 16 is directed to a data storage medium capable of storing data and having a track layout comprising a first data section and a second data section. Overwrite protection means are provided in the layout for preventing the first data section from overwriting the second data section based in part on the length of the first data section and a speed of a head.

As noted above, neither Gold nor Maeda show overwrite protection means in a layout that is based in part on a speed of a head. In fact, Maeda does not discuss overwrite protection at all, but simply discusses a pad in a data block that is used to synchronize between data processing by software and data processing at the auxiliary storage.

Since neither Gold nor Maeda show or suggest overwrite protection means that are based on a speed of a head, their

combination does not show or suggest the invention of claim 16 or claims 17-22 which depend therefrom.

Conclusion

In light of the above remarks, claims 1-22 are patentable over the cited art. Reconsideration and allowance of the claims is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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